

FILED IN OPEN COURT
DATE: 11/23/2021
H. Wheeler
DEPUTY CLERK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

ELIZABETH SINES, *et al.*,

Plaintiffs,

v.

JASON KESSLER, *et al.*,

Defendants.

Civil Action No. 3:17-cv-72

VERDICT FORM

FIRST CLAIM: 42 U.S.C. § 1985(3)

1. Did Plaintiffs prove by a preponderance of the evidence their claim that one or more Defendants engaged in a conspiracy to commit racially motivated violence in violation of 42 U.S.C. § 1985(3)?

_____ YES _____ NO

If you answered "YES" to the first part of this question, please indicate (by marking each appropriate line with a check mark), any and all Defendants against whom you find that Plaintiffs proved their 42 U.S.C. § 1985(3) claim:

_____ ALL DEFENDANTS

If not all Defendants, specify which ones:

_____ Jason Kessler
_____ Richard Spencer
_____ Christopher Cantwell
_____ James Alex Fields, Jr.
_____ Robert "Ázzmador" Ray
_____ Nathan Damigo
_____ Elliott Kline
_____ Matthew Heimbach
_____ Matthew Parrott
_____ Michael Hill
_____ Michael Tubbs
_____ Jeff Schoep
_____ League of the South
_____ Vanguard America
_____ Nationalist Socialist Movement
_____ Identity Evropa
_____ Traditionalist Worker Party

SECOND CLAIM: 42 U.S.C. § 1986

2. Did Plaintiffs prove by a preponderance of the evidence their claim that one or more Defendants had knowledge of the conspiracy found in Claim 1 and failed to prevent that conspiracy from taking place in violation of 42 U.S.C. § 1986?

_____ YES _____ NO

If you answered "YES" to the first part of this question, please indicate (by marking each appropriate line with a check mark), any and all Defendants against whom you find that Plaintiffs proved their 42 U.S.C. § 1986 claim:

_____ ALL DEFENDANTS

If not all Defendants, specify which ones:

_____ Jason Kessler
_____ Richard Spencer
_____ Christopher Cantwell
_____ James Alex Fields, Jr.
_____ Robert "Azzmador" Ray
_____ Nathan Damigo
_____ Elliott Kline
_____ Matthew Heimbach
_____ Matthew Parrott
_____ Michael Hill
_____ Michael Tubbs
_____ Jeff Schoep
_____ League of the South
_____ Vanguard America
_____ Nationalist Socialist Movement
_____ Identity Evropa
_____ Traditionalist Worker Party

THIRD CLAIM: CIVIL CONSPIRACY

3. Did Plaintiffs prove by a preponderance of the evidence each element of their Virginia state law civil conspiracy claim?

✓ YES NO

If you answered "YES" to the first part of this question, please indicate (by marking each appropriate line with a check mark) which of the following Defendants you find, by a preponderance of the evidence, were members of that conspiracy.

 ALL DEFENDANTS

If not all Defendants, specify which ones:

✓ Jason Kessler
✓ Richard Spencer
✓ Christopher Cantwell
✓ James Alex Fields, Jr.
✓ Robert "Azzmador" Ray
✓ Nathan Damigo
✓ Elliott Kline
✓ Matthew Heimbach
✓ Matthew Parrott
✓ Michael Hill
✓ Michael Tubbs
✓ Jeff Schoep
✓ League of the South
✓ Vanguard America
✓ Nationalist Socialist Movement
✓ Identity Evropa
✓ Traditionalist Worker Party

POTENTIAL DAMAGES FOR FIRST THREE CLAIMS

You must now consider what damages, if any, to impose with respect to the three conspiracy claims—Claims 1, 2, and 3—listed above.

If you answered “NO” to all of Questions 1, 2, and 3, you must skip Questions 4 and 5.

If you listed “YES” to any of Questions 1, 2, or 3, you may impose damages on Defendants for those claims. You may only impose damages on those Defendants you found liable for at least one of the three conspiracy claims.

4. For each Plaintiff who you found for on Claims 1, 2, or 3, please state the total compensatory damages that will fully and fairly compensate the Plaintiff for the injuries sustained as a result of the conspiracy. All Plaintiffs except Chelsea Alvarado have brought these three claims against all Defendants. Plaintiff Alvarado has brought these three claims against all Defendants except James Alex Fields, Jr.; her damages should be assessed accordingly.

Natalie Romero:	\$ 1.00
April Muñiz:	\$ 1.00
Thomas Baker:	\$ 1.00
Elizabeth Sines:	\$ 0
Marissa Blair:	\$ 1.00
Marcus Martin:	\$ 1.00
Chelsea Alvarado:	\$ 1.00
Seth Wispelwey:	\$ 0
Devin Willis:	\$ 1.00

5. If you found for Plaintiffs as to Claims 1, 2, or 3, do you find that punitive damages should be awarded against at least one Defendant?

✓ YES NO

If you answered "YES" to the first part of this question, please state on the following lines the total punitive damages, if any, you are assessing against each Defendant.

Jason Kessler:	\$ <u>500,000.00</u>
Richard Spencer:	\$ <u>500,000.00</u>
Christopher Cantwell:	\$ <u>500,000.00</u>
James Alex Fields, Jr.:	\$ <u>500,000.00</u>
Robert "Azzmador" Ray:	\$ <u>500,000.00</u>
Nathan Damigo:	\$ <u>500,000.00</u>
Elliott Kline:	\$ <u>500,000.00</u>
Matthew Heimbach:	\$ <u>500,000.00</u>
Matthew Parrott:	\$ <u>500,000.00</u>
Michael Hill:	\$ <u>500,000.00</u>
Michael Tubbs:	\$ <u>500,000.00</u>
Jeff Schoep:	\$ <u>500,000.00</u>
Vanguard America:	\$ <u>1,000,000.00</u>
League of the South:	\$ <u>1,000,000.00</u>
Identity Evropa:	\$ <u>1,000,000.00</u>
Traditionalist Worker Party:	\$ <u>1,000,000.00</u>
Nationalist Socialist Movement:	\$ <u>1,000,000.00</u>

**FOURTH CLAIM: RACIAL, RELIGIOUS, OR ETHNIC
HARRASSMENT OR VIOLENCE**

6. Plaintiffs Natalie Romero and Devin Willis bring a claim under Virginia Code § 8.01-42.1 (Virginia's racial, religious, or ethnic harassment or violence statute). Please indicate (by marking each appropriate line with a check mark) any and all Defendants against whom you find that Plaintiffs proved their Virginia Code § 8.01-42.1 claim.

☒ Jason Kessler
☒ Richard Spencer
☒ Elliott Kline
☒ Robert "Azzmador" Ray
☒ Christopher Cantwell

For each Plaintiff who you found for as to Claim 4, please state the total compensatory damages that will fully and fairly compensate that Plaintiff for the resulting injuries.

Natalie Romero: \$ 250,000.00
Devin Willis: \$ 250,000.00

7. If you found for at least one Plaintiff as to Claim 4, do you find that punitive damages should be awarded against at least one Defendant?

☒ YES ☐ NO

If you answered "YES" to the first part of this question, please state on the following lines the total punitive damages you are assessing against any such Defendant:

Jason Kessler: \$ 200,000.00
Richard Spencer: \$ 200,000.00
Elliott Kline: \$ 200,000.00
Robert "Azzmador" Ray: \$ 200,000.00
Christopher Cantwell: \$ 200,000.00

8. Plaintiffs Natalie Romero, April Muñiz, Seth Wispelwey, Elizabeth Sines, Marissa Blair, Marcus Martin, and Devin Willis also bring a claim under Virginia Code § 8.01-42.1, against Defendant James Alex Fields, Jr. Please indicate (by marking the appropriate line with a check mark) whether you find that Plaintiffs proved their Virginia Code § 8.01-42.1 claim against James Alex Fields, Jr.

☒ YES ☐ NO

If you found liability against James Alex Fields, Jr. as to Claim 4, please state the total compensatory damages that will fully and fairly compensate that Plaintiff for the resulting injuries.

Natalie Romero:	\$ <u>0</u>
April Muñiz:	\$ <u>0</u>
Seth Wispelwey:	\$ <u>0</u>
Elizabeth Sines:	\$ <u>0</u>
Marissa Blair:	\$ <u>0</u>
Marcus Martin:	\$ <u>0</u>
Devin Willis:	\$ <u>0</u>

9. If you found for at least one Plaintiff in Question 8, do you find that punitive damages should be awarded?

☐ YES ☒ NO

If you answered "YES," to the first part of this question, please state on the following line the total punitive damages you are assessing against James Alex Fields, Jr.:

James Alex Fields, Jr: \$ —

FIFTH CLAIM: ASSAULT OR BATTERY

10. Plaintiffs Natalie Romero, April Muñiz, Thomas Baker, Elizabeth Sines, Marissa Blair, and Marcus Martin bring a claim for assault or battery against Defendant James Alex Fields, Jr. Did those Plaintiffs prove by a preponderance of the evidence each element of their claim for assault or battery?

X YES _____ NO

If you answered "NO" to Question 10, please skip to Question 13. If you answered, "YES" proceed to Questions 11–12.

11. For any Plaintiff who you found for as to Claim 5, please state the total compensatory damages that will fully and fairly compensate that Plaintiff for the resulting injuries.

Natalie Romero:	\$ <u>217,715.00</u>
April Muñiz:	\$ <u>108,000.00</u>
Thomas Baker:	\$ <u>318,575.00</u>
Elizabeth Sines:	\$ <u>0</u>
Marissa Blair:	\$ <u>2000.00</u>
Marcus Martin:	\$ <u>156,987.00</u>

12. If you found for at least one Plaintiff as to Claim 5, do you find that punitive damages should be awarded?

✓ YES _____ NO

If you answered "YES" to the first part of this question, please state on the following line the total punitive damages you are assessing against Defendant James Alex Fields Jr. for these claims:

\$ 6,000,000.00

SIXTH CLAIM: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

13. Plaintiffs Natalie Romero, April Muñiz, Thomas Baker, Elizabeth Sines, Marissa Blair, and Marcus Martin bring a claim for intentional infliction of emotional distress against Defendant James Alex Fields, Jr. Did Plaintiffs prove by clear and convincing evidence each element of their claim for intentional infliction of emotional distress?

 X YES NO

If you answered "NO" to Question 13, please proceed to the END. If you answered "YES" to Question 13, please proceed to Questions 14–15.

14. For each Plaintiff who you found for as to Claim 6, please state the total compensatory damages that will fully and fairly compensate that Plaintiff for the resulting injuries.

Natalie Romero:	\$ <u>155,715.00</u>
April Muñiz:	\$ <u>50,000.00</u>
Thomas Baker:	\$ <u>246,757.00</u>
Elizabeth Sines:	\$ <u>50,000.00</u>
Marissa Blair:	\$ <u>100,000.00</u>
Marcus Martin:	\$ <u>98,987.00</u>

15. If you found for at least one Plaintiff as to Claim 6, do you find that punitive damages should be awarded?

 ✓ YES NO

If you answered "YES" to the first part of this question, please state on the following line the total punitive damages you are assessing against Defendant James Alex Fields, Jr. for these claims:

\$ 6,000,000.00

END – STOP HERE

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Foreperson

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Date